

PTO/SB/21 (04-07)

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**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number 10/528,495

Filing Date September 21, 2006

First Named Inventor Marcus Karel SIPKEMA

Art Unit 2615

Examiner Name Not Yet Assigned

Attorney Docket Number 0470-050862

ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	1. PTO/SB/08a;
<input checked="" type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	2. One copy of each foreign reference; and
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	3. A copy of the International Preliminary Examination Report
<input type="checkbox"/> Reply to Missing Parts/Incomplete Application	<input type="checkbox"/> Landscape Table on CD	
<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	Remarks	

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	The Webb Law Firm		
Signature			
Printed name	William H. Logsdon		
Date	August 30, 2007	Reg. No.	22,132

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature			
Typed or printed name	Lisa A. Miller	Date	August 30, 2007

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Application No.: 10/528,495
Paper Dated: August 30, 2007
Attorney Docket No. 0470-050862



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 10/528,495 Confirmation No. : 4849

Applicant : Marcus Karel SIPKEMA et al.

Filed : September 21, 2006

Title : **Spectacle Hearing Aid**

Group Art Unit : 2615

Examiner : Not Yet Assigned

Customer No. : 28289

Mail Stop AMENDMENT
Commissioner for Patents
P.O. Box 1450
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INFORMATION DISCLOSURE STATEMENT

Sir:

Pursuant to the requirements of 37 C.F.R. §§1.56, 1.97 and 1.98, Applicants hereby submit this Information Disclosure Statement, which includes completed Form PTO/SB/08a and one copy of each foreign reference cited therein. The cited United States patents are not enclosed pursuant to the waiver of this requirement under 37 C.F.R. § 1.98(a)(2)(i).

This Application is the U. S. national phase of PCT Application No. PCT/NL03/00647 filed September 18, 2003, claiming a priority date of September 18, 2002, corresponding to Netherlands Patent Application No. 1021485. The September 6, 2006 Notice of Missing Requirements under 35 U.S.C. 371 in the United States designated/elected office

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Lisa A. Miller

(Typed Name of Person Mailing Paper)

Lisa A. Miller

Signature

08/30/2007

Date

(DO/DE/US) indicates that a copy of the International Search Report ("ISR"), dated May 25, 2004, has been received by the United States Patent and Trademark Office.

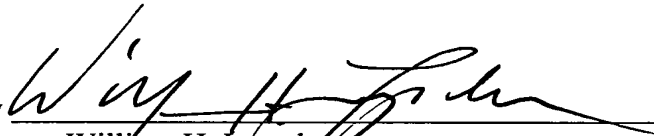
The references cited in the ISR are relevant for the reasons stated therein. An English-language abstract of JP 06233389 is enclosed herewith. An International Preliminary Examination Report ("IPER"), corresponding to the underlying PCT Application, indicates the relevance of DE 3032311 and CH 691944. An English-language abstract of these two references is also enclosed, along with a copy of the IPER.

Because this Information Disclosure Statement is being submitted before a first Office Action on the merits, it is timely under 37 C.F.R. § 1.97(b)(3) and no fee is required. However, the Commissioner for Patents is hereby authorized to charge any fees which may be required to Deposit Account No. 23-0650. One (1) original and two (2) copies of this Information Disclosure Statement are enclosed.

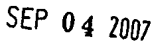
Respectfully submitted,

THE WEBB LAW FIRM

By



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Substitute for form 1449/PTO

(Use as many sheets as necessary)

Application Number	10/528,495
Filing Date	September 21, 2006
First Named Inventor	Marcus Karel SIPKEMA
Art Unit	2615
Examiner Name	Not Yet Assigned
Attorney Docket Number	0470-050862

Sheet	1	of	2
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FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T ⁶
		Country Code ³ *Number ⁴ *Kind Code ⁵ (if known)	MM-DD-YYYY			
	4.	CH 691 944	11-30-2001	PHONAK COMM AG		<input checked="" type="checkbox"/>
	5.	DE 3 032 311	03-26-1981	PHONAK AG		<input checked="" type="checkbox"/>
	6.	EP 1 017 252	07-05-2000	BYBEE et al.		<input type="checkbox"/>
	7.	JP 6 233389	08-19-1994	SONY CORP		<input checked="" type="checkbox"/>
	8.	WO 97/14268	04-17-1997	AUDIOLOGIC, INC.		<input type="checkbox"/>
	9.	WO 99/21400	04-29-1999	BOONE et al.		<input type="checkbox"/>

Date Considered

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Substitute for form 1449/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Complete if Known

Application Number	10/528,495
Filing Date	September 21, 2006
First Named Inventor	Marcus Karel SIPKEMA
Art Unit	2615
Examiner Name	Not Yet Assigned
Attorney Docket Number	0470-050862

Sheet	2	of	2
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U. S. PATENT DOCUMENTS

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FOREIGN PATENT DOCUMENTS

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Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T ⁶
		Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)				
	10.	WO 00/47015	08-10-2000	ANDERSEN et al.		
	11.	WO 04/016037	02-19-2004	CHEN et al.		

Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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